

Gregory J. Christiansen (10755)  
Guardian Law, LLC  
770 East Main Street, Suite 242  
Lehi, Utah 84043  
E-mail: [greg@guardianlaw.com](mailto:greg@guardianlaw.com)  
Tel: 844-409-1122  
*Attorneys for Guardian Law, LLC*

---

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

REBECCA K. WILSON; DENNIS HOUTZ; JAMES DUNN; ROBERT WONG; CARNEY LOOK WONG; KENNETH WONG; MIKE HAMPSHIRE; LIONS FAN, LLC; LINDA SAENZ, ABBY CREEK INVESTMENT, LLC; PASCAL VOHRADNIK; SIMONE VOHRADNIK; 13607 VIRGIL ST., LLC; JOANNE BELDOTTI; RAMONA LORRAINE SOLANO-OWEN; GREINER 11831, LLC; COYLE 12071, LLC; SARSFIELD 12460, LLC; EVA THODE; LAYNE LUNDSTROM; AUDREY LUNDSTROM; INVICTA LEGATO INVESTMENTS, LLC; PAUL VALENTI; SHERRY VALENTI; and RE INVESTOR 702, LLC

Plaintiffs,

v.

BUYPD, LLC; 5 CHOICES, LLC; AMERICAN CASH FUND, LLC; DLS PROPERTIES, LLC; EZ STREET PROPERTIES, LLC; FRONTSIDE PROPERTIES, LLC; GREEN APPLE HOMES, LLC; INSIDER'S CASH, LLC; MALIBU BREEZE PROPERTIES, LLC; MAX ULTRA, LLC; PATRIOT HOMES, LLC; PROPERTY DIRECT, LLC; READY PROP; RED APPLE HOMES, LLC; RED LIST HOMES, LLC; SCREE 44, LLC; SCREAMING EAGLE PROPERTIES, LLC; SILVER TIE HOMES, LLC; INSIDER'S FINANCIAL EDUCATION, LLC; YANCEY EVENTS, LLC; YANCEY, LLC; JOHN GRAHAM

**REPLY IN SUPPORT OF  
MOTION TO DISMISS  
PLAINTIFFS' FIRST AMENDED  
COMPLAINT AGAINST  
DEFENDANT GUARDIAN LAW,  
LLC**

Case No. 2:20-CV-00558-DBB

Judge David Barlow

INC; INCOME PROPERTY USA, LLC; INTERACTIVE HOMES, LLC; EXPANSION PROPERTIES, LLC; VEIL CORPORATE, LLC; BUD LETHBRIDGE; SCOTT YANCEY; DEAN GRAZIOSI; RYAN POELMAN; BLAIR POELMAN; GUARDIAN LAW, LLC; AMERICAN LEGAL AND ESCROW, LLC; INVICTUS, PLLC; and PROPERTY EDUCATION, LLC	
--	--

Defendants.

COMES NOW, Defendant Guardian Law, LLC (“Guardian”), by and through its undersigned counsel and files this Reply in support of its Motion to Dismiss Plaintiffs’ First Amended Complaint. Guardian asks this Court to dismiss the case pursuant to Fed. R. P. 12(b)(6) for failure to state a claim since all claims are time-bared, and pursuant to Fed. R. Civ. P. 9(b) for failure to plead with particularity. Furthermore, based on Fed. R. Civ. P. 12(b)(5) Guardian requests the court either dismiss or quash service of process based on Plaintiff’s faulty service.

### **INCORPORATION BY REFERENCE**

Guardian incorporates by reference the arguments and case law cited by Defendant John Graham Inc. in its Reply Memorandum, Dkt 62, and by Defendants Invictus Law and American Legal and Escrow in their Reply brief, Dkt 63. Plaintiffs have not offered any argument different against Guardian from these parties to maintain their action, and these parties have proposed well researched and logical responses to support their motions to dismiss. Therefore, in expediency of judicial economy Guardian incorporates by reference their arguments and case law herein and adopts their reasoning as further reason to dismiss Defendant Guardian.

### **NO LOGICAL EXPLANATION FOR FAILING TO NAME GUARDIAN LAW TIMELY**

Furthermore, Plaintiffs admit that Guardian was a known entity at least as early as

February 2016. Indeed, Defendant Guardian was mentioned over thirty times in the original Michigan Action but was not named as a Defendant. Plaintiffs intentionally chose not to bring Guardian as a defendant in the Michigan Action, and then more than four years later and after all relevant statutes of limitations had passed, is attempting to bring its claims now. Plaintiffs admissions require Defendant Guardian be dismissed as a matter of law.

### **CONCLUSION**

For the foregoing reasons Plaintiffs have failed to state a legal claim upon which relief can be granted, and the Court should dismiss Plaintiffs' Complaint against Guardian Law.

DATED this 25th day of November, 2020.

Respectfully Submitted,

/s/ Gregory J. Christiansen

Gregory J. Christiansen

*Attorneys for Guardian Law, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 25, 2020, I caused a true and correct copy of the foregoing **DEFENDANT GUARDIAN LAW, LLC's REPLY TO MOTION TO DISMISS** to be electronically filed via the court's CM/ECF system which will send notification to the following:

Robert W. Roddis  
brobroddis@gmail.com  
424 Madison  
Gross Pointe Farms, MI 48236  
*Attorneys for Plaintiffs*

/s/ Alexis Cowley  
*Administrative Assistant*